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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/808,258 | 03/24/2004 | Yukihisa Takeuchi | 789 123 | 4169 |

25191 7590 02/16/2007
BURR & BROWN
PO BOX 7068
SYRACUSE, NY 13261-7068

EXAMINER

SHERMAN, STEPHEN G

| ART UNIT | PAPER NUMBER |
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2629

| MAIL DATE | DELIVERY MODE |
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02/16/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|--------------------------|------------------------|---------------------|--|
| Interview Summary | Application No. | Applicant(s) | |
| | 10/808,258 | TAKEUCHI ET AL. | |
| | Examiner | Art Unit | |
| | Stephen G. Sherman | 2629 | |

All participants (applicant, applicant's representative, PTO personnel):

(1) Stephen G. Sherman.

(3) Stephen Burr.

(2) Joseph Wilson.

(4) ____.

Date of Interview: 13 February 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: ____.

Claim(s) discussed: 1.

Identification of prior art discussed: Itoh et al. (US 2001/0050537) and Ito et al. (JP 05-325777).

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

AMR A. AWAD
SUPERVISORY PATENT EXAMINER



Examiner's signature, if required

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The applicant's representatives argued the combination of the references as applied to claim 1. Specifically, the applicant's representatives argued that there is no teaching within the references that emission will be more stable if the structure taught by Ito et al. is used in place of the structure taught by Itoh et al. and furthermore that the structure could even be used with the invention of Itoh et al. While the examiner noted that Ito et al. does state in paragraph [0022] that more stable electron emission takes place with the structure it teaches, the examiner agreed with the applicant's representatives that there would be no expectation of success in combining the references and that there is no way to tell from the references that more stable emission would be caused by the structure of Ito et al. within the device of Itoh et al. The applicant's representatives also agreed to amend the claims to clarify that light emission does not occur in the first period in order to distinguish the claims from the teachings of Itoh et al. Therefore, the examiner has agreed to research the application when the after-final amendment is submitted.